

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	<u>INFORMATION</u>
	:	
DARIN WEBB,	:	18 Cr.
	:	
Defendant.	:	
	:	
- - - - -	x	

COUNT ONE  
(Wire Fraud)

The United States Attorney charges:

Background

1. At all times relevant to this Information, a company located in New York, New York not named herein operated as a literary agency (the "Agency"). At all times relevant to this Information, DARIN WEBB, the defendant, worked as a bookkeeper for the Agency through a bookkeeping company (the "Company"). WEBB was a partial owner of the Company. At all times relevant to this Information, the Agency hired WEBB and the Company to provide bookkeeping services for the Company.

2. At all times relevant to this Information, in order to facilitate the bookkeeping function performed by DARIN WEBB, the defendant, and the Company, the Agency provided WEBB with unrestricted access to the Agency's bank accounts, including the

ability to transfer money out of the Agency's bank accounts by wire transfer and check.

### The Scheme to Defraud

3. From in or about 2011 through in or about March 2018, DARIN WEBB, the defendant, defrauded the Agency, located in New York, New York, and the Agency's clients by converting to his use and the use of others funds that belonged to the Agency and the Agency's clients, in an aggregate amount of approximately \$3.3 million, without the authorization of the Agency or the Agency's clients.

4. From in or about 2011 through in or about March 2018, in furtherance of the scheme to defraud, DARIN WEBB, the defendant, transferred at least approximately \$3.3 million from the Agency's bank accounts into bank accounts controlled by WEBB, without the permission of the Agency or the Agency's clients, and without a valid business purpose.

5. At various times during the time period relevant to this Information, DARIN WEBB, the defendant, prepared monthly financial reports for the principals of the Agency that contained false and fraudulent representations, in order to accomplish the theft and evade detection.

6. At various times during the time period relevant to this Information, DARIN WEBB, the defendant, sent emails to the

Agency's clients containing false and fraudulent representations in order to conceal the theft and evade detection.

#### **Statutory Allegation**

7. From in or about 2011 through in or about March 2018, in the Southern District of New York and elsewhere, DARIN WEBB, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, WEBB defrauded the Agency during his engagement as the Agency's bookkeeper, by converting funds that belonged to the Agency and the Agency's clients to his own use and the use of others, including through the use of the internet and wire transfers.

(Title 18, United States Code, Sections 1343 and 2.)

#### **FORFEITURE ALLEGATION**

8. As a result of committing the offense alleged in Count One of this Information, DARIN WEBB, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section § 981(a)(1)(C) and Title 28, United States Code, Section § 2461, any property, real and personal,

constituting or derived from any proceeds that the defendant obtained, directly or indirectly, as a result of the offense, including but not limited to:

a. A sum of money of at least \$3,300,000 in United States currency.


Substitute Asset Provision

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property.

(Title 18, United States Code, Sections 981(a)(1)(C) and 982(b), Title 21, United States Code, Section 853, Title 28, United States Code, Section 2461.)

  
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GEOFFREY S. BERMAN  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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GEOFFREY S. BERMAN  
United States Attorney.

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